

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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OWEN NICHOLS,

Plaintiff,

-v-

9:17-CV-156  
(DNH/ATB)

PATRICK J. ALLEN, Corrections Officer;  
KOREY S. BEZIO, Corrections Sergeant;  
WILLIAM J. LECLAIR, Corrections Sergeant;  
BRYAN D. MASON, Corrections Sergeant;  
DAVID J. MYATT, Corrections Officer;  
PATRICK CLANCY, Corrections Officer;  
MATTHEW LAFOUNTAIN, Corrections Officer;  
and CHRISTOPHER J. NICHOLS, Corrections  
Officer,

Defendants.

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APPEARANCES:

OWEN NICHOLS  
Plaintiff pro se  
111 Bridge Street  
Apt 8H  
Brooklyn, NY 11201

HON. LETITIA JAMES  
Attorney General for the State of New York  
Attorney for Defendants  
The Capitol  
Albany, NY 12224

WILLIAM A. SCOTT, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

### **DECISION and ORDER**

Pro se plaintiff Owen Nichols brought this civil rights action against a myriad of correctional officers. On October 4, 2018, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that defendants' unopposed motion to dismiss for lack of prosecution and/or for sanctions pursuant to Federal Rules of Civil Procedure 37(d) and 41(b) be granted and further recommended that the complaint be dismissed if plaintiff fails to file meritorious objections to the Report-Recommendation. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

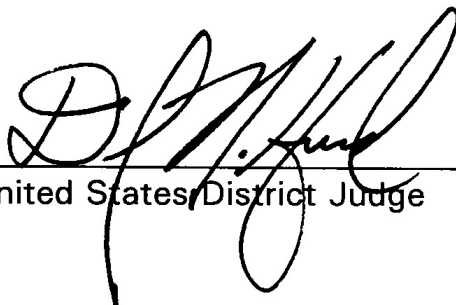
Therefore, it is

ORDERED that

Defendants' motion to dismiss is GRANTED and the complaint is DISMISSED WITH PREJUDICE.

The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.

  
United States District Judge

Dated: February 13, 2019  
Utica, New York.